DETAILED ACTION

Claims 1-30 are pending. Claims 13-14 have been cancelled. Claim 1 is amended.

Claim Rejections – 35 USC § 112

The Examiner stated that claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner states that there is no support in the specification for "cellular telephone" and "personal digital assistant." Applicant respectfully disagrees.

On page 19 of Applicants' specification it states "As discussed above, an end point address is any end point that can "talk" or "communicate." Any media type that has a different address can be referred to as an end point." Both a "cellular telephone" and "personal digital assistant" have "different" addresses from other media types unless they have been previously registered according to the disclosure. Cellular telephone and personal digital assistant users have a mobile identification numbers. Thus, there is full support for all media types that can "talk" or "communicate." Both "cellular telephone" and "personal digital assistant" fall into this category. The Applicant respectfully requests removal of this rejection.

Claim Rejections – 35 USC § 103

The Examiner stated that claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6437818 to Ludwig et al., (hereinafter "Ludwig"), and further in view of U.S. Patent App. No. 2003/0105820 to Haims (hereinafter "Haims"). Applicants respectfully traverse this rejection for at least the reasons stated below.

As stated in MPEP § 2143.01, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Applicants respectfully submit, as

is detailed above, that ***Ludwig in view of Haims do not teach or suggest, either expressly or inherently, many limitations recited in the pending claims***.

As stated in the previous Office Action, the Examiner did not include findings of fact regarding the state of the art and the teachings of Ludwig. The scope and content of the current application must be obtained by a thorough review of the specification and claims to understand what the applicant has invented in light of the prior art (Ludwig). See MPEP §§ 2141 and 904. In Applicant's opinion, these findings of fact have not been made. Applicant's invention is flexible and state of the art. Ludwig's invention was designed eleven years ago and while Ludwig may have had some foresight, the invention, as developed by Applicant has many features that are neither present nor contemplated in Ludwig.

For Example, Ludwig teaches a Wide Area Network (WAN) that is connected via cables and/or telephone lines to multimedia local area servers (MLANs), in turn, these MLANs are coupled to work stations (WS). Thus, in Ludwig, everything is coupled to one another. While as stated in Applicant's invention and the amended claims, Applicant's invention is far reaching and flexible and can be coupled through any network and any endpoint, including the Internet, which is not even considered in Ludwig. Thus, in just this sense, Applicant's invention is patentably distinct from Ludwig and cannot be combined with Haims or any other reference.

In just one example, the Examiner states that Ludwig teaches a multimedia collaboration system "wherein the endpoint address information comprises a uniform resource locator for a website (as stated in col. 8, ll, 38-62, col. 28, ll. 14-28, for accessing multimedia documents hyperlinks provide endpoint addresses to those documents). Applicant's claim states "wherein the endpoint address information comprises a uniform resource locator for a website." As stated clearly in the claims, an endpoint address is the device from which the participant and/or user is accessing the media collaboration system, i.e. as stated in claim 1 "*A multimedia collaboration system for facilitating a multimedia collaboration session between a plurality of participants, comprising a plurality of client devices associated with each of the plurality of*

participants, each of the plurality of client devices configured to store endpoint address information associated with the associated participant, the multimedia collaboration system configured to". Therefore, as clearly explained below, Applicant's invention is patentably distinct from Ludwig. Moreover, Applicant has clearly devised a new solution to a known problem at the time Ludwig was conceived and the solution of which was not known or conceived of at the time of Ludwig. As stated by the Supreme Court in *KSR International Co "*As is clear from cases such as Adams, a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. *This is so because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known.*" *KSR International Co. v Teleflex Inc.*, 550 U.S. 82 USPQ2d 1385, 1397 (2007)(Emphasis added). Under this analysis, because this claim element is not obvious under Ludwig, this claim element makes claim 1 and all claims depending therefrom patentably distinct under 37 CFR 1.111(b). Claim 1 and all claims depending therefrom are therefore allowable.

First, an endpoint address is, as in Ludwig, the participant's address, i.e. a computer terminal (in Ludwig, a work station) and/or a terminal. Applicant's invention is a convenient, flexible system in which the endpoint addresses are flexible – not as in Ludwig, where endpoints are preferably work stations, or telephones coupled to a MLAN, as shown repeatedly in FIGs. 1, 3, 4, 12A, 12B, 13A, 13B, 14A, 14B, 15A, 15B, 16, 17A, 17B, 23, 24, 25, 26, 27, 31A, 31B, 31C, etc. and the accompanying descriptions. For Example, col. 10, ll. 14-65, generally state "to be described is the manner in which the invention provides for real-time audio/video/data communication among geographically dispersed MLANs via WAN whereby delays, cost, and degradation of video quality are significantly minimized from what would otherwise. Four MLANs are

illustrated at locations A, B, C and D. CMWs 12-1 to 12-10, A/V Switching Circuitry, Data LAN hub, and WAN gateway at each location correspond to those shown FIGs. 1 and FIGs. 3. Each WAN gateway in FIG. 4 will be seen to comprise a router/codec (R&C) bank coupled to WAN via WAN switching multiplexer. The router is used for data interconnection (for multimedia mail and document transmission, as well as videoconferencing). Codecs from multiple vendors, or supporting various compression algorithms may be employed. In the preferred embodiment, the router and codec are combined with switching multiplexer to form a single integrated unit."

Ludwig provides for "Video Conferencing on Existing UTP Infrastructure" while Applicants provide a new solution for a known problem – how to extend multimedia conferencing into a flexible arena, one in which a participant may use one or many devices. Applicant's invention provides a solution that was not even contemplated by Ludwig. "When there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense." *KSR International Co. v Teleflex Inc.*, 550 U.S. 82 USPQ2d 1385, 1397 (2007). In this case, there was a market need and pressure, at the time of the invention by Applicant's there were not a finite number of identified, predictable solutions as identified by the Examiner. *Thus, a person of common sense would NOT have looked to Ludwig to solve the problem and the success was a product of innovation*. "In the instant case, we conclude that a person of ordinary skill in the art having common sense at the time of the invention would not have reasonably looked to Ludwig to solve a problem already solved by Applicant." Ex Parte Rinkevich et al, Appeal 20071317, decided May 29, 2007.

Second, Ludwig has nothing to do with this invention. One only has to use *common sense* to see that an in-house (no matter how sophisticated) wide area networking (WAN) system cannot compare with the state-of-the-art system for automatically adding a media component to an established media collaboration session of Applicant's invention. Applicant's invention as claimed requires "an established

multimedia collaboration session configured to ***automatically*** obtain endpoint addresses from each of the client devices" and "associate a plurality of endpoint addresses associated with a participant of the plurality of participants with a network and with a media type;" and "select an appropriate endpoint address from the participant's client device based on a type of request, the network and the media type."). Under this analysis, because this claim element is not obvious under Ludwig, this claim element makes claim 1 and all claims depending therefrom patentably distinct under 37 CFR 1.111(b). Claim 1 and all claims depending therefrom are therefore allowable.

Ascertaining the differences between the prior art and the claims at issue requires interpreting the claim language, and considering both the invention and the prior art references as a whole. See MPEP § 2111 - § 2116.01 for case law pertaining to claim interpretation. The Examiner is not looking at the claimed invention as a whole, but rather distilling the invention down to a gist or thrust of the invention and completely disregarding the "as a whole requirement." See MPEP § 2111.

Haims discloses "Ad Hoc Communications" in which IM technology is used to make the initial communication between devices, before the introduction of the server. For Example "[0100] In the example shown, a communication session is established between two users operating user devices 110a and 110n. Processing, in one embodiment, generally follows the sequence shown. A first message (denoted as message "1" in FIG. 9A) is sent from ***the "host" user device 110a to the attendee user device 110n.*** This first message is an invitation message that may be sent to any number of user devices and/or any number of attendees 110n upon detecting the presence or availability of user device 110n (e.g., whether user device 110n is online or otherwise available to respond to an invitation). Pursuant to some embodiments, detecting the presence or availability may include checking to see if the user operating user device 110n has indicated his location (e.g., if he is at the "office" or "home" computing device, or if he is on "vacation" or "out of reach"). If the user has indicated his location and if the user device associated with that location does not support the type of communication intended by the "host", then the session will not be established. If, however, the user device associated with the location of the invited user does support the intended type of

communication, the session may be established. This detecting the presence or availability of the user may be performed, for example, by querying communication server 200 (which may check availability information in user database 400, for example). [0101] The invitation message transmitted at "1" may include invitation information such as: the identity of the "host" sending the invitation; a meeting name; invitation text; and a meeting identifier. *This invitation message is transmitted to user device 110n using IM or similar protocols, causing an invitation message to appear in substantially real time on a display device of user device 110n.* [0102] The second message (denoted as message "2" in FIG. 9A) is an accept or decline message transmitted from the attendee (the user operating user device 110n) to the host (the user operating user device 110a). In some embodiments, this accept or decline message is transmitted using IM or similar protocols, causing an accept or decline message to appear in substantially real time on a display device of user device 110a. ***If message "2" is an acceptance, a third message (message "3") is automatically generated (e.g., using communication software 122 shown in FIG. 3) and transmitted to communication server 200.*** If message "2" is a decline, processing may halt (unless other invitees accept the invitation) and the host will receive the canceled message." The disclosure of Haims does not teach or suggest the claim limitations of Applicant's amended claims. Under this analysis, because this claim element is not obvious under Haims, this claim element makes claim 1 and all claims depending therefrom patentably distinct under 37 CFR 1.111(b). Claim 1 and all claims depending therefrom are therefore allowable.

Although Applicant does not believe the cited art teach or suggests many of the limitations in the pending claims, Applicant has amended the claims purely in the interest of expediting prosecution of this application. As amended, claim 1 reads as follows:

A multimedia collaboration system for facilitating a multimedia collaboration session between a plurality of participants, comprising a plurality of client devices associated with each of the plurality of participants, each of the plurality of client devices configured to store endpoint address information associated with the associated participant, the multimedia collaboration system configured to:

automatically obtain the endpoint address information from each of the client devices;

associate a plurality of endpoint addresses associated with a participant of the plurality of participants with a network and with a media type, wherein the endpoint address is any end point that can communicate including a website, a session initiation protocol telephone, a telephone, a cellular telephone, a personal digital assistant, and any other type of media component that can communicate; ~~and~~

select an appropriate endpoint address from the participant's client device based on a type of request, the network and the media type; and

automatically attempt to connect at least one client device and the endpoint;

wherein the automatically obtained endpoint address information and the associated plurality of endpoint addresses is performed in at least one of: parallel, sequentially and simultaneously for one or more participants in the collaboration system.

Support for such limitations can be found at least on page 10 and 20 of the instant invention. Neither Ludwig nor Haims, teach or suggest such limitations. As such, Applicant believes that claim 1 is in condition for allowance and each and every claim depending therefrom is allowable. Applicant respectfully requests that they be passed to allowance.

Conclusion

For the reasons described above, Applicant respectfully believes the current independent claim, as well as the claims that depend from it, are in condition for allowance and respectfully request that they be passed to allowance.

Respectfully submitted,
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